

Appl. No. 10/748,554
Reply dated February 1, 2006
Reply to Office Action of September 01, 2005

Remarks

Claims 1-20 are pending in the case. Claims 12-17, 19 and 20 have previously been withdrawn from further consideration as being drawn to a nonelected invention. Therefore, claims 1-11 and 18 are presented for the Examiner's consideration.

Pursuant to 37 C.F.R. § 1.114, reconsideration of the present application in view of the following remarks is respectfully requested.

The claims rejections in the Office Action of September 01, 2005, are as follows:

Claims 1-4, 7, and 18 were rejected in the Office Action mailed September 01, 2005 under 35 U.S.C. §103(a) as being obvious over Truong, et al. (U.S. Publication No. 2004/0074520) in view of Graham, et al. (U.S. Patent No. 6,243,909); **claims 1-3, 7 and 18** were rejected under 35 U.S.C. §103(a) as being obvious over Rivera, et al. (U.S. Patent No. 5,094,559) in view of Graham, et al.; and **claims 1 and 18** were rejected under 35 U.S.C. §102(b) as being anticipated by Sandqvist (International Publication No. WO 94/23634) in view of Graham, et al. (Applicants presume the Examiner intended this to be an obviousness rejection under 35 U.S.C. §103(a) and this rejection is treated as such herein).

In addition, **claims 5 and 6** were rejected under 35 U.S.C. §103(a) as being obvious over Truong, et al. in view of Graham, et al. as applied to claim 4, and further in view of Childs et al. (U.S. Publication No. 20030003831); **claims 4-6** were rejected under 35 U.S.C. §103(a) as being obvious over Rivera, et al. in view of Graham, et al. as applied to claim 3, and further in view of Childs et al.; and **claims 2-6** were rejected under 35 U.S.C. §103(a) as being obvious over Sandqvist in view of Graham, et al. as applied to claim 1, and further in view of Childs et al.

Further, **claims 8-10** were rejected under 35 U.S.C. §103(a) as being obvious over Truong, et al. in view of Graham, et al. as applied to claim 7, and further in view of Keck et al. (U.S. Patent No. 6,807,702); **claims 8-10** also were rejected under 35 U.S.C. §103(a) as being obvious over Rivera, et al. in view of Graham, et al. as applied to claim 7, and further in view of Keck et al.; and **claims 7-10** were rejected under 35 U.S.C. §103(a) as being obvious over Sandqvist in view of Graham, et al. as applied to claim 1, and further in view of Keck et al.

Finally, **claim 11** stands rejected under 35 U.S.C. §103(a) as being obvious over Truong, et al. in view of Graham, et al., and further in view of Keck et al., as applied to claim

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10, and still further in view of Childs et al.; **claim 11** also stands rejected under 35 U.S.C. §103(a) as being obvious over Rivera, et al. in view of Graham, et al., and further in view of Keck et al., as applied to claim 10, and still further in view of Childs et al.; and **claim 11** also stands rejected under 35 U.S.C. §103(a) as being obvious over Sandqvist in view of Graham, et al., and further in view of Keck et al., as applied to claim 10, and still further in view of Childs et al.

Respectfully, these obviousness rejections are hereby **traversed** to the extent they may apply to the currently presented claims. The invention as claimed in claim 1 is directed to a cleaning sheet comprising a first side and a second side, wherein the first side is on an opposite side of the cleaning sheet from the second side, and the first side comprises a first electret treated material which has a structure with the ability to attract and retain, dirt, dust and other debris, and the second side comprises a material which has the ability to absorb fluids.

Each of the obviousness rejections in the Office Action mailed September 01, 2005, and recited above, rely on a combination of Truong, et al., Rivera, et al., or Sandqvist as primary reference taken in view of Graham, et al. As noted in the Office Action, Graham, et al. teach a dust mop wherein the outer layer is made from an electrostatically charged material. In each rejection, the Office Action recited Graham, et al. in order to remedy the same deficiency in the primary references, which do not disclose or suggest that their cleaning pads or cleaning materials should or even could have a side which is electret treated. For each primary reference, the Office Action stated that it would be obvious to one skilled in the art to modify the primary reference (Truong, et al., Rivera, et al., or Sandqvist) to improve the dust collecting ability of the cleaning pad.

Applicants respectfully submit that no proper motivation has been shown for the combination of the Graham, et al. reference to remedy the deficiencies of the three primary references. First, there is no indication that the cleaning pads of the primary references are in any way deficient in ability to collect dust, or that they need this ability improved.

Furthermore, Applicants submit that the teachings of each of the primary references Truong, et al., Rivera, et al., and Sandqvist would rather lead one skilled in the art away from electret treatment of their cleaning pads, instead of toward performing such treatment.

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Truong, et al. disclose a cleaning pad having first cleaning web material on one side and a second cleaning web material on the other side. The first cleaning web material is absorbent to allow for dry, damp, and wet cleaning. The second cleaning web material is designed to perform scouring functions. Both cleaning web materials are constructed to work in a wet environment. Truong, et al. teach that additional layers of absorbent material may be provided between the cleaning webs to increase absorbency through either web (See paragraph 49 of specification). As such, neither of the webs is electret treated, nor, particularly, is there any indication from Truong, et al. that their second or scouring web is intended to pick up or attract and collect dust.

Rivera, et al. disclose a cleaning pad with a blotter layer and a scrubber layer. The scrubber layer is used to clean soiled surfaces after wetting. The scrubber layer is described as a porous, nonwoven material that captures particulate material from textured surfaces during a wet scrubbing step. Indeed, pouches are provided at the rear surface of the scrubber layer to deliver a liquid cleaning agent through the scrubber layer. The blotter layer includes an absorbent material for absorbing the excess water after the scrubber layer cleans the wetted surface. Therefore, the scrubber layer is configured as a coarse scrubber that loosens particles during a wet scrubbing step. The scrubber layer is not electret treated to attract and retain particles during a dry wiping step.

Sandqvist also discloses a reversible mop cloth having a fluid wiping material on one side and a dry wiping material on the other side which exhibits a fluid absorbing function. The dry wiping material, when turned inwards against the mop, functions to retain and store fluid during wet mopping, and is not electret treated to attract and retain particles, nor is there any indication from Sandqvist that either of the materials or sides is intended to pick up or attract and collect dust.

Truong, et al., Rivera, et al., and Sandqvist all disclose teach and suggest having two sides that are intended to be used in a wet environment, and neither side is electret treated to attract and retain particles in a dry-wipe step, nor does there appear to be any indication from the references themselves that it would be desirable to create or increase the ability to pick up or attract dust. Thus, one of ordinary skill in the art would not look to theses references alone or in combination with Graham, et al. or other references relating to electret treated material to develop the cleaning sheet of claim 1.

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In response to similar arguments, the Office Action of September 01, 2005 stated that the materials of Truong, et al., Rivera, et al., and Sandqvist were materials that could be used in dry environs, and could be electret treated, and that since only structure is claimed and the structures were allegedly the same as claimed (once combined with Graham, et al.), there was no reason why they could not be electret treated. However, Applicants respectfully submit that this line of reasoning appears to improperly combine the question of motivation with the question of whether all elements as claimed are present in the cited reference or combination. Whether or not all elements of structure are present once the combination is made is not relevant to whether one skilled in the art would be motivated to combine Graham, et al. with the primary references. Contrariwise, the intended and taught usages of the reference are relevant to whether one skilled in the art would be motivated to modify the materials for a particular purpose.

For at least these reasons set forth above, Applicants submit that independent claim 1 has not properly been shown to be obvious in view of the cited art therefore is patentably distinguishable from the prior art. Because claims 2-11 and 18 depend from claim 1, Applicants respectfully submit that these claims are also allowable. Applicants respectfully submit that the application is now in condition for allowance and favorable action thereon is respectfully requested. The Examiner is encouraged to call the undersigned at a time convenient to the Examiner to resolve any remaining issues.

The undersigned may be reached at: 770-587-8908.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I, Robert A. Ambrose, hereby certify that on February 01, 2006, this document is being faxed to the United States Patent and Trademark Office, central facsimile machine at (571) 273-8300.

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